

**REMARKS**

Reconsideration and allowance of this application, as amended, is respectfully requested.

This Amendment is in response to the Office Action dated May 26, 2005. Appreciation is expressed to the Examiner for the allowance of claims 5-36.

By the present Amendment, rejected claims 1-4 are canceled, without prejudice to the applicants' right to proceed with the subject matter of these claims by way of a continuation application. In addition, new claims 38 and 39 have been added, dependent upon claim 37.

Reconsideration and allowance of independent claim 37 and its new dependent claims 38 and 39 is respectfully requested. Basically, claim 37 defines an arrangement such as shown in Figs. 33A-33C, for example, and discussed with regard to the sixth embodiment beginning on page 37, paragraphs 164-169 of the Specification (noting that reference to these specific Figs. and portions of the Specification is solely for the purposes of example). As shown in Figs. 33A through 33C, mask-patterns 92 and 94 and capacitor pattern 91 are used to form a combined pattern such as shown in Fig. 33C. More specifically, the mask-pattern 92 is generated, as shown in Fig. 33A and discussed in paragraphs 165 and 166, by combining a wiring pattern 90 of a fifth wiring layer and a capacitor pattern 91 in an area in which a capacitor cap C will be formed. On the other hand, as shown in Fig. 33B, and discussed in paragraphs 167 and 168, a mask-pattern 94 is formed from a wiring pattern 93 of a fourth wiring layer and the above-noted capacitor pattern 91. Then, as shown in Fig. 33C and discussed in paragraph 169, the two AND patterns 92 and 94 and the capacitor pattern 91 for the fifth and fourth wiring layers are

applied to a pattern shown in Fig. 33C to form holes for a conductive member Me which will serve as an electrode of a capacitor C in the embodiments 1-5 discussed earlier in the Specification. In particular, a significant advantage of this embodiment is that:

"a capacitor-C-forming area 95 is enlarged and the capacitance of the capacitor C can be increased." [See paragraph 169].

Claim 37 specifically defines the above-noted feature shown in Fig. 33C by first defining a step of determining an intersectional area between first and second power source wirings (such as the wirings 90 and 93 shown in Figs. 33A and 33B) together with a step of generating a hole pattern in the intersectional area and:

"a third step of expanding the width of said hole pattern so as not to reach wiring areas of said first and second wiring layers adjacent to said hole pattern."

This third step corresponds to the expansion of area shown, for example, in Fig. 33C. As discussed in paragraph 169, this expansion leads to an advantage of increased capacitance for a capacitor for the manufactured semiconductor integrated circuit device.

In the Office Action, it is stated that Matumoto (USP 6,165,899) teaches, in Fig. 5F, widening the width of a trench/hole pattern to anticipate the recited third step of claim 37. With regard to this, it is respectfully submitted that although Matumoto teaches providing a larger second wiring layer, there is actually no teaching of enlarging a hole pattern of an intersectional area as required by claim 37. Therefore, it is respectfully submitted that the method taught by Matumoto does not meet the steps defined for the method in claim 37. In addition, it is noted that the method of Matumoto will not achieve the increased capacitance which is achieved by the

present invention (as discussed in paragraph 169). Therefore, reconsideration and allowance of claim 37 over Matumoto is respectfully requested.

In addition, reconsideration and allowance of newly presented dependent claims 38-41 is respectfully requested. These new claims 38-41 define even further features of the invention which are neither taught nor suggested by Matumoto or any of the other cited prior art. Specifically, claim 38 defines that a capacitive element is included within the intersectional area within the first and second power source wirings. This, of course, corresponds to the capacitor portion 95 shown in Fig. 33C. Dependent claim 40 further expands on this by defining that the third step (of claim 37) includes "expanding the area of the hole pattern for the capacitive element." This, of course, corresponds to the "expansion of area of capacitor portion" shown in Fig. 33C for the area 95. It is respectfully submitted that Matumoto clearly fails to teach or suggest the subject matter of either claim 38, calling for the capacitive element in the intersectional area, or the expansion of the area of the hole pattern for the capacitor element. Therefore, particular consideration and allowance of these dependent claims 38 and 40 is respectfully requested.

Dependent claim 39 defines steps similar to those shown in Figs. 33A and 33B for a fourth step of generating mask-patterns (such as those shown by numeral 92 and 94) which are used in synthesizing the final mask-pattern shown in Fig. 33C. Claim 41 is identical to claim 39, but depends on claim 40. As such, claim 41 combines all of the features of claim 37 with the capacitive element of claim 38, the expanded area of the hole pattern for the capacitive element (as defined in claim 40) and the fourth step for generating the mask-patterns for the first and second wiring layers. As such, it is respectfully submitted that these claims 39 and 41 clearly

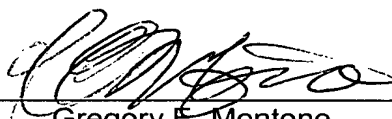
define over Matumoto, as well as the other prior art in this case, and reconsideration and allowance of these claims is also respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 843.40811VX1) and please credit any excess fees to such deposit account.

Respectfully submitted,  
**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By



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